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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,740	07/03/2001	Antonella Porta	CM2393	2412

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EXAMINER

DOUYON, LORNA M

ART UNIT	PAPER NUMBER
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1751

DATE MAILED: 03/31/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/898,740

Applicant(s)

PORTA ET AL.

Examiner

Lorna M. Douyon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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Abstract

1. The abstract of the disclosure is objected to because it need not recite “The present invention relates to” . Correction is required. See MPEP § 608.01(b).

Specification

2. The disclosure is objected to because of the following informalities: The copending foreign applications on page 36, line 13; page 44, line 26; page 45, lines 12-13; page 47, line 3; page 49, line 24; page 50, line 30 and page 51, line 29 need to be updated.

Appropriate correction is required.

Claim Objections

3. Claims 4, 5 and 6 are objected to because of the following informalities:

In claims 4 and 5, the term “fibers” is misspelled.

In claim 6, line 10, “imidazole” is misspelled.

Appropriate correction is required.

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Claim Rejections - 35 USC § 112

4. Claims 6 and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 6, "PVPPVAmine" is not understood. In addition, "poly ethylene imines" in line 11 is a duplicate of the same in line 8.

In claim 7, 'Tinofix FRD' in line 2 is a tradename.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-6, 9-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Edwards (US Patent No. 3,694,364).

Edwards teaches a laundering aid comprising an amine-coated modified cellulosic substrate in combination with a detergent, said aid providing a means of introducing a detergent into a washing solution and at the same time serving to adsorb dirt and vagrant anionic dyes from the aqueous media, thereby providing an improved laundering process (see abstract). In Example

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I, Edwards teaches a phosphorylated cotton terry fabric, cut into cloths, coated with polyethyleneimine and folded into a bag-like articles, filled with about 2 oz of detergent composition A which comprises surfactants and builders (see col. 6, lines 65-75; col. 9, lines 55-66). Upon addition of the laundering aid to an aqueous laundry bath, the detergent composition dissolves from the trapper cloth container and is released into the laundry bath (col. 9, lines 66-69). Edwards teaches the limitations of the instant claims. Hence, Edwards anticipates the claims.

7. Claims 1-6, 10, 12-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Kleinschmidt (US Patent No. 3,816,321).

Kleinschmidt teaches a laundering aid comprising a water-insoluble, polyurethane-polyalkyleneimine material releasably combined with a detergent composition, said aid providing a means of introducing a detergent into a laundry bath and at the same time serving to adsorb dirt and vagrant anionic dyes from the aqueous laundry media, thereby providing an improved laundering process (see abstract). In Example I, Kleinschmidt teaches a foamed polyurethane-polyalkyleneimine copolymer fashioned into cloths, folded into bag-like containers, filled with about 2 oz of detergent composition A comprising surfactants and builders, and sealed thereby providing a laundering aid(col. 18, lines 20-26; col. 13, lines 45-55). Upon addition of the laundering aid to an aqueous laundry bath, the detergent composition dissolves from the trapper cloth container and is released to said bath. Dirt and anionic dyes released from fabrics laundered in the bath are trapped in the surface of the trapper cloth bag, which is then discarded (see col. 18,

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lines 26-32). Kleinschmidt teaches the limitations of the instant claims. Hence, Kleinschmidt anticipates the claims.

8. Claims 1-6, 8-9, 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Dickenson et al. (US Patent No. 4,876,023), hereinafter "Dickenson".

Dickenson teaches a laundry product comprising a particulate laundry composition releasably contained within a closed, single- or multi-compartment sachet which is formed of water-insoluble, non-woven bonded substrate material (see abstract). In Example I, Dickenson teaches a twin-compartment sachet made from a non-woven, air-laid, thermally-bonded substrate material which was formed of crimped polyester/polyethylene bicomponent fibers and the two compartments are filled with 120 cc each of a detergent composition comprising 2 wt% C₁₂TMAB (C₁₂ alkyl trimethyl ammonium bromide), 12 wt% zeolite, 4 wt% MA/AA (maleic acid/acrylic acid copolymer m.wt. 70,000), surfactants, enzymes and brighteners (see col. 9, line 10 to col. 10, line 10) (the C₁₂TMAB and MA/AA corresponding to the dye absorbing agent and/or dirt binding agent). Dickenson teaches the limitations of the instant claims. Hence, Dickenson anticipates the claims.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-6, 9-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (US Patent No. 5,698,476), hereinafter Johnson.

Johnson teaches a laundry article which comprises a dye absorber and a dye transfer inhibitor which are introduced into a wash liquor via a support matrix and which provides a method for preventing the redeposition of extraneous dyes onto other wash items, while simultaneously providing an indicator system for the manifestation of such scavenging process (see abstract). Materials which are suitable as dye absorbers for the laundry article include (quaternary N-substituted ammonium)-hydroxy-haloalkyl compounds; salts of epoxyalkyl ammonium compounds such as glycidylmethylammonium chloride; polyquaternium ammonium compounds; polyamphoterics; quaternized starches; proteins; chitin; chitosan; choline chloride; polyvinyl amine; polyethylene imine and combinations thereof (see col. 4, line 60 to col. 5, line 3). Besides scavenging or absorbing extraneous dyes from the wash solution, an additional function of the dye absorber is to impart a color change to the support matrix with which it is associated (see col. 4, lines 46-59). Materials which may be acceptable as dye transfer inhibitors include polyvinyl pyrrolidone; polyvinyl alcohol; polyvinyl imidazole; polyamine-N-oxides such as polyvinylpyridine-N-oxide; copolymers of any of the foregoing; cationic starches; minerals such as magnesium aluminate; polyvinyl oxazolidone; cationic and amphoteric surfactants (see col. 7, lines

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8-30). The support matrix can comprise any type of natural or synthetic material, for example, cotton, polyester, polyethylene or polypropylene (see col. 7, line 66 to col. 8, line 49). The form in which the support matrix may be found for purposes of the present invention is virtually limitless, for example, it may consist of a fiber, filament, sheet, fiber balls or beads and clathrates or other forms of intercalation supports in addition to the more conventional sheet form. Ultimately, any item or object that can conveniently be retrieved from a wash load, either after washing or after drying would be appropriate (see col. 8, line 64 to col. 9, line 10). Johnson also teaches laundering dyed fabric with a laundry detergent and the laundry article (see col. 12, line 45 to col. 13, line 40). Johnson, however, fails to specifically disclose the support matrix in a sachet form.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to prepare the support matrix in a sachet form because Johnson specifically desires any form of the support matrix, which includes a sachet, which can conveniently be retrieved from a wash load, either after washing or after drying.

11. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson as applied to the above claims, and further in view of Van Leeuwen et al. (US Patent No. 5,912,221), hereinafter "Van Leeuwen".

Johnson teaches the features as described above. Johnson, however, fails to disclose crosslinked polyvinyl pyridine-N-oxide.

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Van Leeuwen teaches that a synergistic dye transfer inhibition action is obtainable if a water-insoluble polymeric dye transfer inhibition agent such as cross-linked polyvinyl pyridine-N-oxide is used in combination with the known water soluble dye transfer inhibition polymers such as polyvinyl pyrrolidone and polyamine-N-oxides (see col. 1, lines 34-37; col. 2, lines 8-56; col. 3, line 5+; Example 1 under col. 15).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the crosslinked polyvinyl pyridine-N-oxide of Van Leeuwen with the water soluble dye transfer inhibition polymers such as polyvinyl pyrrolidone and polyamine-N-oxides of Johnson because this would provide a synergistic dye transfer inhibition action as taught by Van Leeuwen.

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references are considered cumulative to or less material than those discussed above.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lorna M. Douyon whose telephone number is (703) 305-3773. The examiner can normally be reached on Mondays-Fridays from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta, can be reached on (703) 308-4708. The fax phone number for this Technology Center is:

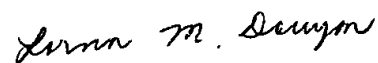
(703) 872-9311 - for Official After Final faxes

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(703) 872-9310- for all other Official faxes.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center receptionist whose telephone number is (703) 308-0661.

March 24, 2003



Lorna M. Douyon
Primary Examiner
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